

MCDERMOTT, WILL & EMERY

28 State Street
Boston, Massachusetts 02109-1775
(617) 535-4000

Main Facsimile No. (617) 535-3800

FACSIMILE

Date: December 28, 2001 **Time Sent:** _____

TO:

Name	Company	Facsimile No.	Contact No.
Shawna Shaw, Examiner	USPTO	703-746-3349	

FROM: Erin Shea **Direct Phone:** (617) 535-3953

E-Mail: eshea@mwe.com@mwe.com
Client/Matter/Tkpr: 56300-013-5468 **Originals Follow by Mail:** No

Number of Pages, Including Cover: _____

Re: SERIAL NO.: 09/231,854

MESSAGE:

As discussed, attached is a copy of the CPA transmittal filed in January 2000. Page 2, Box 10, on the transmittal shows our request for a change of correspondence address. Please contact Ron Demsher at (617) 535-4039 or Toby Kusmer at (617) 535-4065 as soon as possible concerning the status of the Office Action mailed on October 15, 2001.

Thank you.

Erin Shea
Secretary to Ron Demsher

The information contained in this facsimile message is legally privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copy of this facsimile is strictly prohibited. If you have received this facsimile in error, please notify us immediately by telephone and return the original message to us at the above address by mail. Thank you.

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_____ AT _____ **AS SOON AS POSSIBLE.**

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CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Large Entity) Submit an original, and a duplicate for fee processing. <i>(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))</i>				Docket No. MRTK-001RE	
				<input type="checkbox"/> DUPLICATE <small>(Check box if applicable)</small>	
First Named Inventor		Examiner		Group/Art Unit	
Martinelli		Shaw, S.		3737	
<p style="text-align: center;">Address to: Assistant Commissioner for Patents Box CPA, Washington, D.C. 20231</p> <p>This is a request for filing a <input checked="" type="checkbox"/> continuation, or <input type="checkbox"/> divisional application under 37 CFR 1.53(d), (continued prosecution application (CPA)) of prior application number <u>09/231,854</u> filed on <u>January 14, 1999</u> and entitled: METHOD AND SYSTEM FOR NAVIGATING A CATHETER PROBE</p> <p>1. <input checked="" type="checkbox"/> Enter the unentered amendment previously filed on <u>January 24, 2000</u> under 37 CFR 1.116 in the prior nonprovisional application.</p> <p>2. <input type="checkbox"/> A preliminary amendment is enclosed.</p> <p>3. <input type="checkbox"/> This application is being filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).</p> <p style="margin-left: 20px;">a. <input type="checkbox"/> DELETE the following inventor(s) named in the prior nonprovisional application:</p> <p style="margin-left: 40px;">b. <input type="checkbox"/> The inventor(s) to be deleted are set forth on a separate sheet attached hereto.</p> <p>4. <input type="checkbox"/> A new power of attorney or authorization of agent is enclosed.</p> <p>5. <input checked="" type="checkbox"/> An Information Disclosure Statement (IDS) is enclosed:</p> <p style="margin-left: 20px;">a. <input checked="" type="checkbox"/> PTO-1449</p> <p style="margin-left: 20px;">b. <input checked="" type="checkbox"/> Copies of IDS Citations</p> <p>6. <input checked="" type="checkbox"/> The fee for this application is calculated as follows:</p>					
CLAIMS AS FILED					
For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	25	-22 =	3	x \$18.00	\$54.00
Indep. Claims	7	- 5 =	2	x \$78.00	\$156.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$690.00
TOTAL FILING FEE					\$900.00

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Large Entity)
(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

7. ☒ The Commissioner is hereby authorized to credit overpayments or charge the following fees to
Deposit Account No. 50-1133

- ☐ fees required under 37 C.F.R. 1.16.
☐ fees required under 37 C.F.R. 1.17.
☐ fees required under 37 C.F.R. 1.18.

8. ☒ A check in the amount of \$900.00 is enclosed.

9. ☐ Also enclosed:

10. ☒ The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below:

Toby H. Kusmer
McDermott, Will & Emery
28 State Street
Boston, MA 02109

Tel 617-535-4065
Fax 617-535-3800

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Large Entity)
(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

NOTES

Submit an original, and a duplicate for fee processing.

FILING QUALIFICATIONS: The prior application must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 USC 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

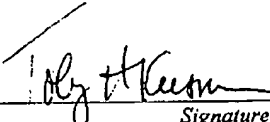
C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. 1.53(d), but must be filed under 37 C.F.R. 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. 1.53(b) must be used to file a continuation, divisional or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the Applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or application in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request. 37 C.F.R. 1.78(a).

Dated: January 26, 2000


 Signature

Toby H. Kusmer
 Typed or printed name

Registration No. 26,418
 Registration Number (if applicable)

- ☐ Inventor(s)
☐ Assignee of complete interest
☒ Attorney or agent of record

cc: